

# ARIZONA DEPARTMENT OF ADMINISTRATION

## Policies and Procedures

Subject: Substance Abuse  
Supersedes: N/A

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### **PURPOSE:**

The Department of Administration recognizes that its employees are its most important resource. The Department is also recognizes that alcohol and drug abuse are conditions that have an impact on the employee as well as the employer, and is making efforts to provide guidance in addressing substance abuse issues.

### **POLICY:**

Recognizing that it is the employee's responsibility to demonstrate satisfactory job performance, and that alcohol and drug abuse may have an adverse affect on job performance, it is the responsibility of all employees to maintain a substance free work environment. It is also the responsibility of the Department of Administration to provide employees with a substance free work environment.

1. The unauthorized use, sale, purchase or possession of alcohol or controlled substances at the worksite is prohibited and shall be grounds for discipline, up to and including dismissal. Arriving at or being at work impaired by alcohol, controlled substances or drugs shall be grounds for discipline, up to and including dismissal.
2. The Department of Administration encourages employees to voluntarily seek assistance to treat alcohol and drug abuse.
  - a. The Employee Assistance Program office is located in Phoenix and is available in the Phoenix metropolitan area on a voluntary basis, as a resource to all Department of Administration employees.
  - b. Employees outside of the Phoenix metropolitan area are encouraged to call the Employee Assistance Program office for referral to treatment in their area or to seek treatment covered by their respective health insurance carrier.
3. It shall be the responsibility of supervisors at every level to encourage employees to use the Employee Assistance Program or other behavioral health programs when deteriorating or unsatisfactory job performance may be related to substance abuse problems. A supervisor should not attempt to diagnose an employee's problems. The supervisor's role is to monitor job performance.
  - a. Supervisors may refer employees to the Employee Assistance Program. In locations outside of the Phoenix metropolitan area, supervisors may encourage employees to call the Employee Assistance Program or refer employees to behavioral health programs covered by the employee's health insurance carrier.

- b. The employee may utilize the Employee Assistance Program during work hours without loss of sick or annual leave.
  - c. The Employee Assistance Program is a supplement to, and not a replacement of, existing policies and procedures for dealing with employees who have job performance problems.
- 4. The employee's use of a program to treat alcohol or drug abuse does not replace normal disciplinary procedures for unsatisfactory job performance.
  - a. The utilization of treatment shall not, in and of itself, be a basis for discipline and shall not, in and of itself, affect job security or promotional opportunities. Neither shall it protect an employee from discipline for either misconduct or poor performance.
- 5. Confidentiality is an essential element of both the Employee Assistance Program and substance abuse treatment. Treatment program records will not be included with, or referenced in, any employee files.
- 6. Established personnel policy concerning leave usage will apply for employees who are referred to outside service providers.
- 7. Employees referred to outside service providers shall be responsible for the payment for services not covered by the employee's health insurance carrier. This includes payment of appropriate deductibles and co-payments.
- 8. Reporting for work under the influence of alcohol or drugs, or any substance which impairs an employee's mental or physical capacity, will not be tolerated. When there exists reasonable grounds to believe that an employee is under the influence of alcohol or drugs, the supervisor shall consult with their Assistant Director and determine whether the employee shall be directed to submit to drug screening or blood alcohol tests. Refusal to submit to such tests can subject the employee to disciplinary action up to and including dismissal.

Under no circumstances will an employee be allowed to operate equipment or drive a motor vehicle when it reasonably appears that his/her ability to do so has been impaired.

- a. An employee using medication or prescription drugs which may impair job performance shall report this fact in writing to his/her supervisor.
- b. Due to the job responsibilities of certain employees, additional specific regulations may be imposed by the supervising authority.

## **PROCEDURES:**

### **1. Employee Self-Referral**

- a. An employee who does not wish anyone to know that he/she is seeking assistance through the Employee Assistance Program or other behavioral health program can schedule appointments on his/her own time (lunch breaks, before or after work shift, or days off). Leave time for appointments scheduled during scheduled work shift must be approved.
- b. If an employee requires leave time for substance abuse treatment, he/she can follow established personnel policy concerning leave usage. If the employee requests that the purpose of the leave not be disclosed to his/her immediate supervisor, the request can be submitted to the Employee Assistance Program counselor. The Employee Assistance Program counselor will contact the Assistant Director of the employee's division and secure authorization of leave time. The Assistant Director shall maintain confidentiality regarding the reason for the leave when advising the employee's supervisor.

### **2. Supervisor Referral**

- a. In order to make a supervisory referral the supervisor documents the job performance or attendance problems of the employee and discusses these observations with the employee and requests he/she meet with the Employee Assistance Program counselor or other behavioral health program.
- b. The employee shall provide the supervisor with a note from his/her counselor letting the supervisor know that the employee is keeping his/her appointments and is following the counselor's recommendations. The nature of the problems will not be discussed with the supervisor unless the employee requests this through specific written release of information.

Any supervisor who violates the employee's confidentiality will be subject to disciplinary action.

- c. The policy for leave requests in a supervisor referral situation is the same as the policy for employee self-referral.
- d. In cases where other management methods have failed to improve an employee's job performance, the department head, with the consent of the employee, has the option to mandate an employee's participation in a structured screening and treatment program.

### **3. Supervisor Referral of Employee for Alcohol and/or Drug Testing**

- a. If a supervisor has reasonable grounds to believe that an employee is under the influence of alcohol or drugs when reporting for work or during the work

shift, the supervisor has an obligation to verify the employee's condition and relieve the employee of his/her duties. The supervisor shall seek the approval his Assistant Director prior to relieving the employee of duties except in emergency cases. In such cases he shall obtain the consent of his manager.

- 1) Reasonable grounds would include a combination of various factors such as slurred speech, red eyes, dilated pupils, incoherence, unsteadiness on feet, smell of alcohol or other substance emanating from the employee's body, inability to carry on a rational conversation, increased carelessness, erratic behavior, inability to perform the job, other unexplained behavioral changes, etc. These observations shall be documented in writing by the supervisor and a copy will be available to the employee upon request.
- b. If the supervisor determines that reasonable suspicion of impairment exists, the employee should be directed to accompany the supervisor to an approved medical facility for alcohol and/or drug testing. The supervisor should first contact the Employee Assistance Program counselor in order to obtain the name of an approved medical facility and to apprise the Employee Relations Manager that the supervisor is referring his/her employee for testing.
- c. The employee should be informed that the tests will be conducted on State time and paid for by ADOA. Employees will be asked to authorize release of test results to the employer. The employee should be informed that refusal to take the test or sign the release of information may result in disciplinary action up to and including dismissal (additionally, the employee should be informed that he/she will be sent home without pay for the rest of the day if he/she refuses to take the test and sign the release of information).
- d. Employees who test positive or refuse the test or release of information shall be considered unfit for work and shall be relieved from duty that day. The employee shall not be allowed to drive to the hospital or home.
- e. If tests determine that the employee is under the influence of alcohol or drugs on the job, appropriate disciplinary action shall be taken. The employee may be referred to the Employee Assistance Program or other treatment program for possible participation in a rehabilitation or treatment program.